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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,521	09/12/2000	William S. Passman	BBNT-P01-057	6580
28120	7590 08/22/2005		EXAM	INER
FISH & NE	AVE IP GROUP	PHAN, MAN U		
ROPES & G	RAY LLP NATIONAL PLACE		ART UNIT	PAPER NUMBER
	MA 02110-2624		2665	
			DATE MAILED: 08/22/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental Notice of Allowability Supplemental O9/660,521 Examiner Art U

Application No.	Applicant(s)	
09/660,521	PASSMAN ET AL.	
Examiner	Art Unit	
Man Phan	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to communications filed 11/15/2004. 2. The allowed claim(s) is/are 1, 15-17 and 7-14 and 19-27 and 32-36, 2-6, 37 and 38-41(Claims are renumbered as1-36 respectively). 3. The drawings filed on 12 September 2000 are accepted by the Examiner. 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) 🗌 All b) ☐ Some* c) ☐ None 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 5. Notice of Informal Patent Application (PTO-152) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 6. Interview Summary (PTO-413), Paper No./Mail Date 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), 7. X Examiner's Amendment/Comment Paper No./Mail Date 12/09/04 4. Examiner's Comment Regarding Requirement for Deposit 8. X Examiner's Statement of Reasons for Allowance of Biological Material 9. Other _____.

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Reasons for allowance

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1. This communication is in response to applicant's 11/15/2004 Amendment in the

application of Passman et al. for an "Using direct cluster member to cluster member links to

improve performance in mobile communication systems" filed 09/12/2000. The proposed

amendments have been entered and made of record. Claims 29-31 have been canceled per

Applicant's request, and new claims 32-41 have been added. Claims 1-17, 19-25 have been

amended. The claims have been amended to more particularly point out and distinctly claim the

invention.

2. An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Mr. Edward A. Gordon (Reg. #54130) on April 22, 2005.

3. The application has been amended as follows:

IN THE CLAIMS:

Claim 39:

line 1, replace "claim 33" with --claim 38--

Claim 41:

line 2, replace "claim 36" with --claim 40--

Cancel the withdrawn claims 18, 28.

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4. Claims 1, 15-17 and 7-14 and 19-27 and 32-36, 2-6, 37 and 38-41 are allowable as evident by applicant's amendment (Claims are renumbered as 1-36 respectively)

- 5. The following is an examiner's statement of reasons for the indication of allowable subject matter: The closest prior art of record, either singularly or in combination, fails to disclose or suggest an electronic processor circuit configured to determine the strength of a signal received from a second communication station through said transceivers, and determines whether to communicate with the second communication station directly or to communicate with the second communication station by routing messages through a cluster head affiliated to said first mobile communication station based on the signal strength; communicates with the second communications station directly when the RSSI of the second communication is greater than the RSSI of the affiliated cluster head plus an additional value, as specifically recited in the claims. The instant invention, in combination with the other claimed features, improves upon the Prior Art by providing a method and system for using direct cluster member to cluster member links to improve performance in mobile communications systems.
- 6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Man U. Phan whose telephone number is (571) 272-3149. The examiner can normally be reached Monday through Friday from 6:00 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at toll free 1-866-217-9197.

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08/15/2005

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